

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

MICHAEL MORRIS,

Plaintiff,

v.

TAMMY DICKMAN, GARY BOUGHTON,
DEPT. OF CORRECTIONS and
PETER OPPENEER,

Defendants.

ORDER

18-cv-986-wmc

This case was closed after the court received a notice of voluntary dismissal filed by plaintiff Michael Morris on December 20, 2018. Dkt. 3. Now the court has received a motion to withdraw dismissal and motion to amend complaint filed by plaintiff. Dkt. 6. Before reopening this case, plaintiff must pay an initial partial payment of the \$350 filing fee.

From the trust fund account statement plaintiff has submitted, I calculate his initial partial payment to be \$2.92. Plaintiff is to pay the \$2.92 initial partial payment on or before January 30, 2018.

Once plaintiff pays that amount, that is just the first step in obtaining leave to proceed *in forma pauperis* under 28 U.S.C. § 1915. After the court receives his payment, the court will reopen his case and take plaintiff's complaint under advisement for a determination under § 1915(e)(2) whether his action or any portion of it must be dismissed

as frivolous or malicious, for failure to state a claim on which relief may be granted or because plaintiff seeks monetary relief against a defendant who is immune from such relief.

ORDER

IT IS ORDERED that plaintiff Michael Morris is assessed \$2.92 as an initial partial payment of the \$350 fee for filing this case. Plaintiff is to submit a check or money order made payable to the clerk of court in the amount of \$2.92 on or before January 30, 2019. If, by January 30, 209, plaintiff fails to make the initial partial payment or show cause for his failure to do so, his case will remain closed.

Entered this 8th day of January. 2019.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge